

# CHARLOTTE COUNTY

## CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

Administration Center, County Commission Meeting Room #119  
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

### MINUTES OF MARCH 2, 2016

- I. **CALL TO ORDER**  
Special Magistrate Glenn Siegel called the hearing to order at 9:00 a.m.
- II. **PLEDGE OF ALLEGIANCE**
- III. **SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY**  
Jill Graves administered the swearing in.
- IV. **NEXT MEETING DATE**  
April 6, 2016
- V. **AGENDA CHANGES**  
Agenda Item IX(V), Case No. COD-15-03101 and Agenda Item IX(Z), Case No. DOH-16-00093 were pulled from the agenda by the County prior to the hearing.
- VI. **CITIZEN INPUT – AGENDA ITEMS ONLY**  
(NONE)
- VII. **CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**  
*All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by the Magistrate that item(s) will be removed from the Consent Agenda and considered separately.*
  1. **Case No. COD-11-00234**, Chetan Patel, 3101 Port Charlotte Blvd, Port Charlotte **LR**  
– Seventh Affidavit of Noncompliance - \$60.00  
This case was pulled from the consent agenda and heard separately.  
**ORDER** – Fine approved.
  2. **Case No. COD-12-01145**, Randy Pangborn, 23229 Elmire Blvd, Port Charlotte – **CL**  
Fourth Affidavit of Noncompliance - \$60.00
  3. **Case No. COD-12-02591**, Howard Jensen, 14 Eddy Place, Rotonda – Second **DN**  
Affidavit of Noncompliance - \$7,220.00
  4. **Case No. COD-13-00147**, Richard D & Hazel L May, 1813 Lavilla Rd, Punta **JD**  
Gorda – Affidavit of Noncompliance - \$60.00
  5. **Case No. COD-13-00317**, Joh B. Meissner, 19146 Waterbury Court, Port **LR**  
Charlotte – Affidavit of Noncompliance - \$60.00
  6. **Case No. COD-13-01475**, Brian Schebel & Jennifer Walker, 21354 Percy Ave, **RL**  
Port Charlotte – Sixteenth Affidavit of Noncompliance - \$267.00
  7. **Case No. COD-14-00045**, Mark Machukas, 2412 Duke Ln, Port Charlotte – **RL**  
Fifteenth Affidavit of Noncompliance - \$138.50

8. **Case No. COD-14-00369**, Gary & Judith Alexander, 18321 Wolbrette Cir, Port Charlotte – Third Affidavit of Noncompliance - \$60.00 **LR**
9. **Case No. COD-14-00643**, Kathleen Mergl & Joe Wright Jr, 21854 Edgewater Dr, Port Charlotte – Affidavit of Noncompliance - \$60.00, **CL**
10. **Case No. COD-14-00862**, Paul & Cristal Schneider, 21922 Calvin Ln, Port Charlotte – Sixth Affidavit of Noncompliance - \$117.00 **RL**
11. **Case No. COD-14-00870**, Oqab Abuogab, 21090 Ionia Ave, Port Charlotte – Tenth Affidavit of Noncompliance - \$188.50 **RL**
12. **Case No. COD-14-00928**, Ryan D. & Courtney M. Taylor, 22286 Midway Blvd, Port Charlotte – Second Affidavit of Noncompliance - \$60.00 **JD**
13. **Case No. COD-14-00981**, OPP II LLC, 3250 Loveland Blvd, Port Charlotte – Second Affidavit of Noncompliance - \$110.00 **RM**
14. **Case No. COD-14-01271**, Joseph Tralongo, 10041 Cocoa Beach St, Port Charlotte – Affidavit of Noncompliance - \$8,912.50 **DN**
15. **Case No. COD-14-01650**, Vicki Jo & Jeffrey C Pogson, 340 Pebble Beach Ln, Punta Gorda – Second Affidavit of Non-Compliance - \$7,350.00 **DS**
16. **Case No. COD-14-01673**, Veej Realty, Inc., 2626 Auburn Blvd, Port Charlotte – Fourth Affidavit of Noncompliance - \$6,510.00 **LR**
17. **Case No. COD-14-02079**, Wells Fargo Bank, NA, 4350 Meager Cir, Port Charlotte – Fourth Affidavit of Noncompliance - \$6,510.00 **LR**
18. **Case No. COD-14-02290**, Jaime A & Yamileth Ramirez, 18403 Evenglow Ave, Port Charlotte – Fourth Affidavit of Noncompliance - \$60.00 **LR**
19. **Case No. COD-14-02380**, Alfonso & Avril Lloyd, 21929 Felton Ave, Port Charlotte – Sixth Affidavit of Noncompliance - \$117.00 **RL**
20. **Case No. COD-14-02546**, Wells Fargo Bank, NA, 731 Merrick Ln, Port Charlotte – Fourth Affidavit of Noncompliance - \$6,510.00 **LR**  
This case was pulled from the consent agenda and heard separately.  
**ORDER** – Fine approved.
21. **Case No. COD-14-02589**, Eldev-Ochir Lkhagvaa, 61 Santarem Cir, Punta Gorda, Second Affidavit of Noncompliance - \$4,510.00 **JD**
22. **Case No. COD-14-02673**, Marjorie Papaleo and Walter Andalora Revocable Trust, 480 Sharon Cir, Port Charlotte, Third Affidavit of Noncompliance - \$60.00 **CL**
23. **Case No. COD-14-02989**, Anthony Lindsey, 21915 Calvin Ln, Port Charlotte – Eighth Affidavit of Noncompliance - \$117.00 **RL**
24. **Case No. COD-15-00010**, Wells Fargo Financial System Florida, Inc., 2290 Lake View Blvd, Port Charlotte – Third Affidavit of Noncompliance - \$110.00 **LR**

25. **Case No. COD-15-00306**, Secret Homes, LLC, 2368 Starlite Ln, Port Charlotte – Fifth Affidavit of Noncompliance - \$117.00 **RL**
26. **Case No. COD-15-00307**, Stanley & Diane Paluszek, 21939 Catherine Ave, Port Charlotte – Fifth Affidavit of Noncompliance - \$102.75 **RL**
27. **Case No. COD-15-00447**, Valerie Blow, 21699 August Ave, Port Charlotte – First Affidavit of Non-Compliance - \$60.00 **RL**
28. **Case No. COD-15-00542**, Citimortgage, Inc., 3034 Mocking Bird St, Port Charlotte – Affidavit of Noncompliance - \$110.00 **LR**  
This case was pulled from the consent agenda and heard separately.  
**ORDER** – Fine approved.
29. **Case No. COD-15-00892**, Harold L & Edward L Smith, 21522 Meehan Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$3,410.00 **RL**
30. **Case No. COD-15-01192**, US BANK NA as Legal Title Trustee, 3510 Yukon Dr, Port Charlotte – Second Affidavit of Noncompliance - \$9,510.00 **LR**
31. **Case No. COD-15-01560**, John L. & Dawn K. Foley, 23388 Superior Ave, Port Charlotte – Affidavit of Noncompliance - \$60.00 **JD**
32. **Case No. COD-15-01589**, JP Morgan Chase Bank, NA, 17465 Clover Ave, Port Charlotte - \$110.00 **LR**
33. **Case No. COD-15-01742**, Eileen Carter, 1642 Adrian St, Port Charlotte First Affidavit of Noncompliance - \$60.00 **JD**
34. **Case No. COD-15-01895**, Federal National Mortgage Association, 2280 Starlite Ln, Port Charlotte – Affidavit of Noncompliance - \$1,819.00 **RL**
35. **Case No. COD-15-01929**, Provident Trust Group, LLC, 5188 Anderson Rd, Port Charlotte – Second Affidavit of Noncompliance - \$6,110.00 **CB**
36. **Case No. COD-15-02023**, Vincent Cu & Mary Thao Tran, 334 & 336 Millport St, Port Charlotte – Affidavit of Noncompliance - \$60.00 **LR**
37. **Case No. COD-15-02348**, Harbour Portfolio VI, LP, 2409 Conway Blvd, Port Charlotte – Affidavit of Noncompliance - \$110.00 **RL**

**ORDER** – Magistrate Siegel approved the remainder of the Consent Agenda Affidavits of Noncompliance.

**VIII. OLD BUSINESS**  
(None)

**IX. NEW BUSINESS**

- A. Case No. COD-15-02446**, Bumford NP LLC, 3521 Adeline St, Punta Gorda **RM**  
[Sections 3-9-33(e) & 3-9-76]

**ORDER** - The entry of a 2 year cease and desist order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$100 per day for each day the violations(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- B. Case No. COD-15-00928**, Michael J. Larson, 3310 Middletown St, Port Charlotte **CL**  
[Sections 3-9-5(b) & 3-9-33(e) and FBC Section 105.1]

**ORDER** - 30 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist.

- C. Case No. COD-15-01689**, Patricia Anne Eskew, 3552 Middletown St, Port Charlotte **CL**  
[Sections 3-9-33(e) and 3-9-76]

**ORDER** - The entry of a 2 year cease and desist order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violations(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- D. Case No. COD-15-01954**, Henry Geeve Estate, Ronald Lee Geeve, Pers Rep, 22136 Bronxville Ave, Port Charlotte [IPMC Sections 301.2, 301.3, 304.1, 304.6, 304.7, 304.13, and 304.13.1] **CL**

**ORDER** - 30 days from the date of this Order to apply for and obtain all necessary permits, pass all inspections, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist.

- E. Case No. COD-15-03010**, West Babylon Rentals LLC, 458 Cypress Ave, Port Charlotte **CL**  
[Sections 3-9-33(e), 3-9-76 and 3-9-79.1]

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$100 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- F. Case No. COD-14-01240**, Lawrence Spieldenner Jr, 3310 Yukon Dr, Port Charlotte [Sections 3-9-33(e), 3-9-76(a) & 3-9-79.1] **LR**

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- G. Case No. COD-15-02640**, Rachel A Tuthill & Kenneth E Lowe, 816 Seabold Ave, Port Charlotte [Section 3-9-33(e)] **LR**

**ORDER** - 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violations are shown to exist.

- H. Case No. COD-15-02748**, Lucy Mansfield, 325 Capatola St, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-76(a) & 3-9-79.1; FBC Section 105.1 and IPMC Sections 301.2 and 304.7] **LR**

**ORDER** - The entry of a 2 year cease and desist order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this Order to apply for and obtain all necessary permits, pass all inspections in accordance with the Florida Building Code, and bring the property into compliance with the International Property Maintenance Code, or obtain a permit(s) for the removal of the shed and propane tank to restore the property to its prior condition, or thereafter face a fine of \$50 per day for each day the violations(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- I. Case No. COD-15-02823**, Harry Liu, 17364 Sabrina Cir, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76(a), FBC Section 105.1, and IPMC Sections 301.2, 301.3, 302.7, 304.2, 304.6, 304.10, 304.12 & 304.14] **LR**

**ORDER** - The entry of a 2 year cease and desist order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this Order to apply for and obtain all necessary permits, pass all inspections in accordance with the Florida Building Code, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$50 per day for each day the violations(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- J. Case No. COD-15-02895**, Roberto Ugarte, 18471 Cochran Blvd, Port Charlotte [Section 3-9-5(b), FBC Section 105.1 and IPMC Sections 301.2, 304.2 & 304.6] **LR**

**ORDER** - 30 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code and bring the property into compliance with the International Property Maintenance

Code, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist.

- K. Case No. COD-14-01292, C.C.S.T.T.T. INC., 5069 Condado Ter, Port Charlotte [FBC Sections 105.4 and 110.3] CB**

**ORDER** - 30 days from the date of this Order to renew the expired permits and pass all inspections in accordance with the Florida Building Code, or thereafter face a fine of \$100 per day for each day the violation(s) are shown to exist.

- L. Case No. COD-13-01380, Jan J. Musil, 3068 Key Lane, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76 and FBC Section 105.1] RL**

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code, or thereafter face a fine of \$100 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- M. Case No. COD-15-02820, Norman & Claudine Saunders, 21899 Haines Ave, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] RL**

**ORDER** - The entry of a 2 year cease and desist order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violations(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- N. Case No. COD-15-03085, Anthony C Lindsey, 21915 Calvin Ln, Port Charlotte [Sections 3-9-33(e) & 3-9-76 and IPMC Sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.5(3),(4),(5),(6),(7),(9), 108.6, 110.1, 110.3, 301.2, 301.3, 302.5, 304.1, 304.1.1(2),(5),(7),(8),(12), 304.2, 304.4, 304.6, 304.7, 304.9, 305.1, 305.2, 305.3, 306.1, 306.1.1(6), 309.1, 601.2, 604.1, 604.3 and 604.3.1.1] RL**

**ORDER** - 30 days from the date of the Order to clear the zoning violations, apply for and obtain all necessary permits, and pass all inspections to bring the property into compliance with the International Property Maintenance Code, or obtain a demolition permit and restore the property to its original condition, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- O. Case No. COD-15-03295, Federal National Mortgage Association, 21947 Hernando Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76 and IPMC 301.2, 301.3, 302.7, 304.2, 304.7 & 304.11] RL**

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations,

and 30 days from the date of this Order to apply for and obtain all necessary permits, pass all inspections and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$100 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of such abatement to be added to the fines and costs associated with this case.

- P. Case No. COD-15-03404**, Michael F Melvin Jr & Linda G Melvin, 21291 Midway Blvd, Port Charlotte [Sections 3-9-33(e) and 3-9-76] **RL**

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of such abatement to be added to the fines and costs associated with this case.

- Q. Case No. COD-16-00079**, Douglas E Robinson, 21544 Holdern Ave, Port Charlotte [Sections 3-9-33(e), (g) and 3-9-76] **RL**

**ORDER** - The entry of a 5 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of such abatement to be added to the fines and costs associated with this case.

- R. Case No. COD-15-02657**, John Maestri Jr & Linda Maestri, 1160 Pine St, Englewood [3-9-5(b), 3-9-33(e) & 3-9-76, FBC Section 105.1 and IPMC Sections 301.2, 301.3, 304.6, 304.7, 304.13, 304.13.1 & 505.4] **DN**

**ORDER** - Dismiss action against John Maestri only. The entry of a 2 year cease and desist order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this Order to apply for and obtain all necessary permits, pass all inspections in accordance with the Florida Building Code, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$50 per day for each day the violations(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- S. Case No. COD-15-02939**, Nancy Rose Eickstedt, 7446 San Casa Dr, Englewood [Sections 2-5-72, 3-9-37(e) & 3-9-76 and IPMC 108.1.1, 108.1.3, 108.1.5(3)(7), 301.2, 301.3, 304.6 & 304.7] **DN**

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections to bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist, and for the matter to be referred

to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

- T. Case No. COD-15-03164**, Billie Joe Medlin, 73 Golfview Rd N, Rotonda West **DN**  
[Section 2-5-72 and IPMC Sections 301.2, 301.3, 303.1 & 304.7]

**ORDER** - Dismiss Charlotte County Code Section 2-5-72. 30 days from the date of the Order to apply for and obtain all necessary permits, and pass all inspections to bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist.

- U. Case No. COD-15-03475**, Gregory J Hibbard, Brook Alice Bingham & Monique Hibbard, 2905 Bourbon St, Englewood [Sections 2-5-72, 3-9-37(e), 3-9-76 & 3-9-79.1] **DN**

**ORDER** - The entry of a 2 year cease and desist Order for any future zoning violations, and 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of \$50 per day for each day the violation(s) are shown to exist, and for the matter to be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of such abatement to be added to the fines and costs associated with this case.

- V. Case No. COD-15-03101**, Fenard Properties LLC, 21447 Carleton Ave, Port Charlotte [FBC Sections 105.4 and 110.3] **JD**

*This case was pulled from the agenda and continued at the request of Code Compliance.*

- W. Case No. DOH-15-00012**, Donald B & GFA Abraham, 2051 Broad Ranch Dr, Port Charlotte [Section 3-8-256(g)(1) & (g)(2)] **SB**

**ORDER** - 30 days from the date of this Order to have the septic tank pumped and inspected in accordance with Charlotte County Code, or thereafter face a fine of \$50.00 dollars per day for each day the violation is shown to exist.

- X. Case No. DOH-15-00013**, Burt & Mary Lou Ackert, 18504 Morrisson Ave, Port Charlotte [Section 3-8-256(g)(1) & (g)(2)] **SB**

**ORDER** - 30 days from the date of this Order to have the septic tank pumped and inspected in accordance with Charlotte County Code, or thereafter face a fine of \$50.00 dollars per day for each day the violation is shown to exist.

- Y. Case No. DOH-15-00016**, Darryl D Agler as trustee, 2306 Como St, Port Charlotte [Section 3-8-256(g)(1) & (g)(2)] **SB**

**ORDER** - 30 days from the date of this Order to have the septic tank pumped and inspected in accordance with Charlotte County Code, or thereafter face a fine of \$50.00 dollars per day for each day the violation is shown to exist.

**Z. Case No. DOH-16-00093, Brian O Sutter, 18426 Wintergarden Ave, Port SB  
Charlotte [Section 3-8-256(g)(1) & (g)(2)]**

*This case was pulled from the agenda prior to the hearing as the case is being dismissed by Code Compliance.*

**X. STAFF AND CITIZEN INPUT – ANY SUBJECT  
(None)**

**XI. ADJOURNMENT**

Magistrate Siegel adjourned the hearing at 11:09 a.m.

**MINUTES CERTIFICATION**

*I, Jill A. Graves, Administrative Assistant I for Charlotte County, hereby certify these minutes to be a true and accurate account of the Code Enforcement Special Magistrate Hearing held on March 2, 2016.*



Jill A. Graves  
Administrative Assistant I

Date 3/7/2016

**MINUTES APPROVAL**



Glenn Siegel  
Code Enforcement Special Magistrate

Date 4/6/2016